UP MURDER AS A TRADE.

Put Alleged Cattle Rustlers Out of the Way. and Was the Murderous Agent of Others in a Range Feud-The Killing of a 13-Year-Old Boy His Last Crime.

CHEYENNE, Wyo., Nov. 20 .-- Tom Horn, once a celebrated army scout and Indian fighter, was hanged in the Laramie county fail this morning for the murder of William Nickell, the thirteen-year-old son of Kels Nickell, a ranchman of Iron Mountain. forn was after the father when he killed the boy, and he was also suspected of murdering several other ranchmen. His prosecution brought to light the workings of a range feud of long standing.

State militia had been on guard at the iail for several days, as it was suspected that Horn's friends would make an attempt to rescue him. Thousands of people had gathered in this city, thinking that the execution would be held in the courtyard, but the authorities feared that an attempt would be made to liberate Horn, so the execution was held inside, in the presence of six of Horn's friends, five or six officers and newspaper men.

Horn was to-day his own executioner His weight upon the trap drew a plug from a pail of water, and when the water ran out a heavy weight fell, pulling out a prop that held the trap in place.

Horn maintained his innocence to the last, and on the gallows denied the story that he had confessed to the Rev. Mr. Williams. Horn occupied his last hour on earth by writing letters. One was to Under Sheriff Proctor, thanking the jailer for his kindness. Another letter was to John C. Coble, Horn's friend. In it he deviation by killed Willia Nickell. He said that he had confessed to the Rev. Mr. Wilnied that he killed Willie Nickell. He said he was approached with a proposition to kill Nickell for a certain sum, which would of ten cents. I did not take anything from Coble for that ich for he hed kent wei in the control of the cents. be paid by ranchmen of Iron Mountain. He refused to entertain the offer. A few weeks after the killing he saw the ranchmen and they were telling what a clean job was and they were telling what a clean jowas done, and that he, Horn, was suspected of the crime. The statements in Horn's letter are not borne out by the facts in the case.

Tom Horn was born in Scotland county, Missouri, in November, 1860. He was driven away from home by his father in the fall of 1874. It is said that the elder Horn was the leader of a notorious band of Scotland county horse thieves and that at one time he was a member of the James at one time he was a member of the James at one time he was a member of the James at one time he was a member of the James at one time he was a member of the James at one time he was a member of the James at one time he was a member of the James at one time he was a member of the James at one time he was a member of the James at one time he was a member of the James at one time he was a member of the James at one time he was a member of the James at the Inter-Ocean Hotel by Sheriff Smalley and Under Sheriff Proctor, and had been in jail continuously ever since, except for a few minutes on Aug. 9, when he and Jim McCloud overpowered Jailer Proctor and gained the street. He was captured within a few blocks of the jail.

Prior to Horn's confession to La Fors salon, where he bragged of the fact that he had killed Willie Nickell and was too smart to be caught.

Horn was tried in October, 1902, and at the end of fourteen days was convicted, the jury being out only a few hours. On the stand Horn himself admitted that he had said word for word what was accredited to done, and that he, Horn, was suspected of

at one time he was a member of the James ang of train robbers.

Tom walked into St. Louis and got a Job with a freighter on the old Santa Fé trail. The next spring found him in Santa Fé, driving a stage for the Overland Mail Company. The next fall and winter he was engaged in pony express riding and in herding stock for the mail company. The country was filled with hostile Indians, and Horn had frequent brushes with the Apaches. He had become a crack shot with rife and pistol.

and Horn had frequent brushes with the Apaches. He had become a crack shot with rifle and pistol.

Horn picked up the Indian language and obtained employment with the army as scout and interpreter. He soon attracted the attention of "Buffalo Bill" and Gen. Nelson A. Miles, and in the chase and capture of Geronimo, Horn was made chief of secute and rerdered such valuable service that the commanding officer frequently mentioned him in his reports to the commanding General, who in turn called the attention of the Secretary of War to Horn.

The campaign against the Indians at at an end, Horn hired out as cowboy, and this occupation he followed in one way or another until he was arrested, on Jan. 18, 1902, charged with the murder of Willie Nickell.

Horn first came to Wyoming in 1882,

Wille Nickell.

Horn first came to Wyoming in 1889, but he did not remain long. He was then known as Tom Hale. He went back to Texas, but returned to Wyoming in 1892 at the head of a band of thirty Texas desperados who had been engaged to participate in the Johnson county raid of the wealthy stockmen against the rustlers and small ranchmen.

and small ranchmen.
In 1888, when war was declared with Spain, Gen. Miles sent to Wyoming for Horn and made him chief scout in the Porto Rico campaign. At the close of the war Horn returned to Wyoming, but he was here skeleton of his former self, fever naving racked his frame for more than

Horn was employed by a number of the horn was employed by a number of the associations of cattlemen in Wyoming. His business was to ride the ranges, spy on the alleged rustlers and gather evidence of their guilt. At first this evidence was taken into the courts, but a conviction was scarcely ever secured, and Horn is alleged to have taken it upon lumself to alleged to have taken it upon himself to get rid of the rustlers in his own peculiar way, which, he often remarked, was "the sure way." It must be said, however, that the cattle associations did not approve of Horn's murderous work and many mem-bers withdrew from the associations.

Horn continued in the employ of a few, however, and while thus engaged he was suspected of the murder of William Powel and William Lewis, Iron Mountain ranch-men, who were killed in the same month in 1895. He was not indicted, for friends came to his rescue with their money.

During the summer of 1896 a ranchman of the name of Campbell disappeared and has never been seen since he left his ranch on the Laramie plains with Horn. Campbell had a large sum of money on his person, and if Horn murdered the ranchman he

did it for this money.

In July, 1900, Isham Dart, a negro, and Matt Rash, ranchmen in the Brown's Park country, in northwest Colorado, were murdered, the latter being shot down while eating supper in his cabin and Dart being shot from embush on a cattle trail near ambush on a cattle trail near Both victims of the hidden assassin's bullets were alleged to be rustlers They had been poaching on the ranges of the Laramie plains and both had bad reputhe Laramie plains and both had bad repu-tations. Horn was in the Brown's Park country at the time of the murders and he afterward admitted that he was employed by Rash when Rash met his death in his abin. He said by way of explanation that he had been sent to the Brown's Park coun-try to gather evidence against the rustlers and the best way to succeed was to hire

out to Rash.

The crime that finally landed Horn behind the bars was the Nickell murder. The father of the boy had been a thorn in the side of some of the cattlemen in the Iron Mountain country for many years. Repeated efforts had been made to buy him out to get ride this but he would not be defined. had been made to buy him out to get its
of him, but he would not be driven. Plots
were formed to murder him, for he had
brought sheep into the cattle country—an
unpardonable offence in the eyes of the cattlemen. Nickell had also had trouble with
John C. Coble, manager of the Iron Mounhis Park Germany where rapper Hore Ranch Company, at whose ranch Horn made his headquarters, and who proved to be Horn's warmest friend all through his trouble and trials in the courts. It is leged that Nickell's death was dec non, and Horn was selected to do the

Willie Nickell received two bullets in the back, the shots being fired from a 30-30 Winchester, smokeless powder, from a distance of nearly four hundred verds. At first the members of the family of James Miller, near neighbors of the Nickells, were suspected, and the father and two sons were arrested and brought to Chevenne.

Joe La Fors, Deputy United States Mar-bal, had been working on the case, and, hall been working on the case, and, halleving Horn to be guilty, he set about laying a trap for him. Under the belief that La Fors had obtained a situation for him in Mostana, Horn went with the deputy him in Montana, Horn went with the deputy to La Fors's office on the afternoon of Jan. 12, 1902. Deputy Sheriff Snow and Stepographer Ohnhaus were secreted in an inneroom and heard all that Horn and La Fors sall. La Fors talked about killings on the ranges, and by way of leading up to the Nickell murder said:

ase for a long time I could not ascertain low you came to kill that boy." I suppose it was like this," re-Horn. "The kid was coming up whom are living.

TOM HORN, BAD MAN, HANGED.

the draw that leads to Nickell's house, and when he saw the man that was there to do the killing he tried to get back to the ranch the killing he tried to get back to the ranch the man realized that the kid would create a disturbance, got back behind a pile of rocks and as the kid came along gave it to him."

Questions were put to Horn by La Fors, and little by little the detectives drew from Horn every detail of the crime. Some of Horn's admissions follow: "I never leave a trail. I always go barefooted when on a case of this kind. No,
the ground did not bother me. My feet
were cut up some, but I usually have ten
days to rest after a job of this kind.

"I was about 300 yards away when I
shot the kid.

shot the kid. "I used a .30-30. I like it better than any ther. It carries true to the mark. I other. It carries true to the mark. I thought once that the kid would get away from me, but I nailed him. It was the finest shot I ever made, and the dirtiest job I

ever done.

"Yes, I get hungry on these trips sometimes, but I get used to it. I get so darned hungry sometimes that I could kill my mother for some grub.

"No, I did not leave any shells behind for the d-d officers to pick up. I did that once, but the officers didn't have sense enough then to follow the trail.

"The first man I ever killed was a second lieutenant in the Mexican army. I was then 26 years old and new at the business, but I got accustomed to it after a while."

"How much did you get for killing Powell and Lewis?" was asked.

"How much did you get for killing Powell and Lewis?" was asked.
"I got \$600 each for those jobs."
When asked how much be got for the Nickell killing Horn said:
"I got \$500 for that, or \$2,100 for killing three people and shooting at one man five times." (Powell and Lewis are supposed to be the dead men, and Kels Nickell, who was fired upon by a hidden assassin a few weeks after his boy was killed, and wounded in two places, is the one shot at five times.)
"Killing men is my specialty," continued Horn, "and I guess I have got a corner on the market in this section.

Coble for that job, for he had kept me in horses and grub and was the best friend I ever had in the world."

Horn was arrested the day after making the sensational disclosures, being taken at the Inter-Ocean Hotel by Sheriff Smalley

said word for word what was accredited to him, and which Stenographer Ohnhaus read from his notes. He said he was drunk when he talked with La Fors, and was only "joshing." The jury could not see it that way, and as the evidence in the case supplemented the confession and made it arroar plausible. confession and made it appear plausible, there were few who believed Horn to be

innocent. Horn was sentenced to be hanged on Jan on san sentenced to be anged on san appeal to the State Supreme Court. The higher court, on Sept. 30, denied the motion for a new trial, and Horn's attorneys set about preparing an appeal to the Governor. The Supreme Court resentenced Horn to be hanged on

Nov. 26.

The Governor deuled the appeal of Horn for a commutation of the death sentence to life imprisonment, on Nov. 14 last.

Plots were unearthed at different times during the past six months for the release of Horn, but the publicity given the stories and the preparations made at the jail to receive the attacking party evidently had the desired effect.

The trial and conviction of Tom Horn cost the tayayers of Largenie county

cost the taxpayers of Laramie county a sum in excess of \$40,000, while it is said that Horn's friends spent an equal sum to free him. John C. Coble is said to have put up almost all of this money.

DIED PROTESTING INNOCENCE. Firing Squad of Five Shoot a Man Convicted of Murder in Utah.

SALT LAKE, Nov. 20 - Peter Mortensen, convicted of the murder of James R. Hay, was shot to death by a firing squad in the State Priscn yard to-day. Mortensen died protesting his innocence. He walked to the death chair unaided, refused stimulants and faced the muzzles of five rifles without so much as a tremor. Less than a minute and a half after he sat down in the death chair Mortensen was dead. Just before Mortensen was executed he said:

"To the world I want to say, and swear by the heavens above, by the earth beneath, and by all I hold near and dear to me on this earth, that I am not guilty of that cowardly murder of my dearest friend. I ask, therefore, no man's pardon for aught that I may have done in life.

"I am confident that my life is an example to most people. I do not say that am better or more worthy of the respect of the world than the average man, but I have done my duty to my father and mother, my brothers and sister and to other near relatives. I have done my absolute duty toward my wife and my five little bables. May God keep and care for the sweet darlings."

The five executioners, whose identity is secret, were concealed behind a black curtain which was drawn across a window facing Mortensen. The distance was only twenty yards. The marksmen fired simultaneously Mortensen died instantly. There was pulsation caused by reflex action for about a minute. Four bullet holes were found within a radius of less than two inches. Two of them went almost through the heart's centre, one penetrated the lower left side and the fourth probably just grazed the top.

A white tag two inches wide had been pinned over Mortensen's heart as a target for the firing squad. A thirty calibre steel bullst was used, one of the rifles being loaded

with a blank cartridge.

Mortensen was convicted on purely circumstantial evidence. He is said to circumstantial evidence. He is said to have killed Hay in order to secure a note for \$2.700 owed by Mortensen and which Hay carried in his pocket. A striking feature of the evidence was the testimony of James Sharp, father-in-law of Hay, who swore that God had revealed Mortensen's guilt to kim in a vision.

Bishop Lines and the Missionaries.

BLOOMFIELD, N. J., Nov. 20. - Over ive hundred delegates were in atendance at the annual convention of the Wemen's Auxiliary of the Board of Missions, held in Christ Episcopal Church to-day, when the Rt. Rev. Edward S. Lines performed his first public function as Bishop! The Bishop celebrated holy communion and was assisted by the Rev. Edwin A. White, Archdeacon Mann, the Rev. Dr. Jenvey and the Rev. Dr. F. L. H. Pott. Bishop Lines then delivered an address on missionary work. In the afternoon a reception was tendered the Bishop at the rectory by the Rev. and Mrs. E. A. White.

Married Fifty Years.

MONTCLAIR, N. J., Nov. 20 .- Mr. and Mrs. Alfred A. Snyder gave a reception to-night at their home in Hillside avenue in honor of their golden wedding. The ouple were the recipients of many gifts.

Mr. and Mrs. Snyder were married in
the Rutgers Street Church, N. Y., by the
late Rev. Dr. Krebb. Mrs. Snyder, who kept track of you on the other cases, but must confess that after working on this case for a long time I could not ascertain was Miss Frances Wallace, sang in the

choir.
They have had five children, two of

SENATOR GREEN'S TRIAL BEGUN

DISAPPEARANCE OF TWO WIT-NESSES ANNOUNCED.

Counsel Tells of a Cunningly Planned Conspiracy to Defraud the Government -Green's Letter to Heath and His Checks Identified and Put in Evidence.

BINGHAMTON, Nov 20.-The trial of Senator George E. Green, who is charged in five indictments with bribery and conspiracy in connection with the sale of International time recorders and Doremus cancelling machines to the Government, was started here to-day before United States Commissioner Hall. Green is represented by John B. Stanchfield of Elmira and Theodore R. Tuthill of this city, while Assistant United States Attorney Purdy is assisting United States District Attorney Curtiss in the prosecution.

The first sensation to develop was the announcement that Herbert J. Truesdell and Mrs. Ida Crowell, two of the principal witnesses against Green in the time clock cases, were not to be found. They had lately been living at Rush, Pa., but about two weeks ago Truesdell disposed of all his goods, replying to inquiries:

"If any one wants to know where we are ell them we have gone to the Philippines." District Attorney Curtiss did not know hey had gone until he attempted to serve subpœnas on them. Truesdell was formerly employed by the clock company at a salary of \$10,000 but had a disagreement with the company about two years ago. He and Mrs. Crowell were two of the principal witnesses against Green before the Grand Jury at Washington which returned the indictments. Truesdell was in Chicago on Sunday, but nothing further has been heard of him.

The trial opened at 10 o'clock in the Federal Court room. After the usual motions to dismiss the indictments, Disrict Attorney Curtiss offered in evidence the indictments in the last three cases and then took up the indictment returned on Oct. 5, which charges a conspiracy with George W. Beavers to defraud the Government in connection with the sale of time recording clocks. Mr. Curtiss asked that warrants of removal be issued, citing the recent decision by Judges Holt and Lo-combe that an indictment in these cases furnished sufficient prima facie evidence

furnished sufficient prima facie evidence of probable guilt.

Commissioner Hall said that, notwithstanding the decision of the New York Judges, he should deny the application.

Mr. Purdy, in an eloquent address opening the case for the Government, said:

"It is an unpleasant duty for me to ask you to hold one of your honored citizens for trial at Washington on so serious a charge, for if a public officer can be bribed in the performance of his duty there is no crime more serious to the Commonwealth, but our duty is pointed out to each of us. It is published to-day that two of our witnesses have gone away. I shall show you that the Government did not base its case on such evidence or on mere speculation or conjecture. Here is a cunningly planned conspiracy which has cost the Government many thousands of dollars.

dollars.

"The first circumstance pointing to the guilt of Green is that in 1897, when Beavers was only a post office inspector in New York, Green suddenly showed interest in his recommendation Perry S. him, and on his recommendation Perry S. Heath appointed Fervers a clerk in the salary and allowance division of the Fost Office Department, where he had power to audit bills for and buy supplies from Green's company. I shall also show you that when the International Time Recording Company was, in the spring of 1900, formed from the Bundy Clock Company and the Willard & Frick Company, Green, president of the new company, offered to look after the Washington end of the business for a commission of 10 per cent; and look after the Washington end of the business for a commission of 10 per cent; and we shall show how, item by item, every cent of about \$47,000 paid to Green as these commissions went direct to George W. Beavers in a roundabout way, but in one instance the indorsement of both Green and Beavers appearing on the same check. And this money is the only money that is ever on record as having passed from Green to Beavers, and the payment stopped immediately on Beavers fleeing from Washington to New York.

Harlow E. Bundy, manager of the International Time Reco ing Company, was questioned concerning the organization of the International com-pany, which from April, 1000, to May, 1101, was capitalized at only \$2,000 and was was capitalized at only \$2,000 and was merely a sales agent for the products of the Bundy company and the Willard & Frick company. In May, 1902, it was re-apitalized at about \$1,800,000, of which Green holds about \$150,000 and Bundy twice as much. When the International company was organized, a meeting of directors was held in New York and Green was told to take charge of the "Government end of the business," for which he was to receive a commission of 10 per cent, on all sales. commission of 10 per cent. on all sales. The following year a salary of \$1,500 was also given him, which he has since drawn. In all sales amounting to \$76,595.05 have been

made to the Government, on which Green's commissions have been \$7,253.40. Mr. Bundy identified Green's signatures and indorsements on various documents, among which were checks given to Mr. Green by the International company for commissions, which in the indictments are alleged to have been deposited in New York banks to Green's private account, and checks exactly corresponding in amount have been drawn by Green in favor of Beavers in payment of the sums alleged to have been agreed upon between Green nd Beavers in the alleged conspiracy.

and Beavers in the alleged conspiracy. The letter said to have been written by Green to Perry S. Heath, advising the appointment of Beavers, was also shown. Mr. Bundy identified it as in Mr. Green's handwriting. It reads:

BINGHAMTON, N. Y., April 8, 1807.

My DEAR COL. HEATH: This will introduce to you Mr. George W. Beavers of Brooklyn, N. Y., of whom I spoke to you during the very pleasant interview you granted me recently. Mr. Beavers is an aspirant for promotion in the Post Office Department and he is reliable, trustworthy and honest in every sense of the word. His ability and capacity for work fit him for the faithful discharge of all the duties of any office to which he may be appointed. If you can conscientiously make him a clerk in the Salary and Allowance Department you will have a man on whom you can rely. His Republicanism has never been questioned. Very truly yours,

All the evidence concerning the checks

canism has never been dissibilities. Very yours, George E. Green.

All the evidence concerning the checks and letters was admitted over the objections and exceptions of Mr. Stanchfield. The letter written by Mr. Bundy to the Hon. W. M. Johnson, then First Assistant Postantes Georgia. Was offered in evidence. master-General, was offered in evidence, in which the following offer was made: in which the following offer was made:

In compliance with the oral proposition made by Mr. Green, our president, we offer to supply new time recorders at \$100 each, keys at 50 cents each, and keys in exchange tor old ones at 30 cents each, ink ribbens at 16 per dozen, and paper tape at \$2 per dozen. If at any time the appropriations should be nsufficient we agree to install clocks wherever needed and await payment until uture appropriations are available. This ender, if accepted by you, is to continue in orce four years, or during the life of the greent administration. orce four years, or di resent administration.

This is the famous four-year contract which was told of in the press despatches early in the investigation. Johnson's reply, accepting the offer, was also read in Senator Green's letter, written to Fourth Assistant Postmaster-General Bristow on June 12, 1903, protesting against the news-paper stories which had drawn his name

into the scandals, was also read and identi-fied by Mr. Bundy. At this point the cross-examination of At this point the cross-examination of Bundy was taken up. Mr. Stanchfield asked Bundy if his company had ever charged the United States Government a penny more for a recording clock than private individuals had to pay, and the reply was very emphatic, 'Not a penny more!" He also asserted that the company had sold the supplies at one-third less than the regular price. He never saw Beavers but once, and that was in the Astor House in New York previous to his appointment. He knew that Beavers had been a friend of Green for many years. He said that the He knew that Beavers had been a friend of Green for many years. He said that the warmer to-morrow; light to fresh northeast winds at Buffalo.

Government adopted the Bundy recorder only after a thorough and exhaustive test, and that the choice was made in 1895 under a Democratic Administration. Beavers was appointed soon after Republican success

in 1896.

J. L. Willard, president of the Willard & Frick Company, and now secretary of the International Company, was then called. He read from the commission account with Green the following records of payments: Aug. 1, 1900, \$1,000; March 18, 1901, \$1,000; April 30, 1901, \$1,500; Aug. 10, 1901, \$270.01; Sept. 30, 1901, \$220; Dec. 9, 1901, \$325; Jan. 25, 1902, \$331.18; April 19, 1902, \$418.36; Sept. 11, 1902, \$1,042.88; Feb. 26, 1903, \$1,145.97. The checks for most of the payments were offered in evidence and the indictments allege that Beavers deposited amounts exactly similar to each of these, excepting for the first three and the last. Of these one was for expenses at the time of the reorganization, one check has been lost and another is unaccounted for.

Mr. Willard gave the sales of clocks to the Government as follows: In 1896, 368; in 1897, 231; in 1898, 513; in 1899, 60; in 1900, 238; in 1901, 100; in 1902, 161; to March 1, 1903, 60. The large increase in 1898 and 1902 were attributed to increases in free delivery offices throughout the country to which the use of clocks is restricted.

Post Office Inspector Walter S. Mayer, who has had charge of this branch of the J. L. Willard, president of the Willard

to which the use of clocks is restricted.

Post Office Inspector Walter S. Mayer, who has had charge of this branch of the investigation, testified to calling on Mr. Green in New York on Aug. 15, 1903, and asking him for explanations of his transactions with Beavers. Green refused to answer until the questions were put in writing. Mayer did that, there being twenty-four relating to the various checks and deposits. The next day Mr. Green submitted a written answer, saying that inasmuch as the Government inspectors had already pried into his private business and financial affairs unbeknown to him, he must decline to answer the questions, he must decline to answer the questions, except to say that to nobody in the employ of the Postal Department had ever been or the International companies or the Doremus Cancelling Machine Company.

At the evening session John M. Masten, formerly chief clerk in the First Assistant Postmaster General's office, promised a sensation when he declared that he knew George W. Beavers and Augustus W. Machen to have had an interest in the sale of time recorders, but his subsequent testimony failed to reveal any conversation or other evidence. eveal any conversation or other evidence on which to base such an assertion. The other testimony given by him, as well as that given by Charles F. Trotter, for ten years a clerk in the salary and allowonce division was uninvertent. ivision, was unimportant

CAN'T STAY IN THE OLD GUARD. ppellate Division Reverses the Reinstatement of Henry Brewster.

Henry H. Brewster, who sought and btained from the Supreme Court his reinstatement as a life member of the Old Guard a few months ago, met with a reverse yesterday. The Appellate Division decided that Brewster was properly expelled from the association and that he is not entitled be reinstated. Brewster was charged last October with having falsely accused Major S. Ellis Briggs of having stolen \$20 from him. The money represented the price of Brewster's plate at an Old Guard dinner. He said he paid Major Briggs, and that the treasurer never got it.

NEGRO TRIES TO KILL DR. EDGAR. Army Hospital Physician Had Reprimanded Him-Thought to Be Insane.

SAN FRANCISCO, Nov. 20 .- Dr. Benjamin J. Edgar of the Presidio Hospital had a narrow escape from death to-day at the hands of a big negro attendant named Magee. The a big negro attendant named Magee. The latter had absented him self without leave, and the doctor reprimanded him sharply. Soon after, the negro entered the office and aimed a pis of at the doctor. The gun refused to work. Then the negro used it as a club and made a vicious assault on the doctor, inflicting a severe scalp wound. Other attendants overpowered the negro, who is thought to be demented.

INDIANS MOVE TO MEXICO? The Cherokees Are Not Satisfied With Their Present Surroundings.

BIQUILLAS, Tex., Nov. 20.-Maspar Exendino of Exendino, Caddo county, I. T., stopped here on his way home from Mexico. He represents the Cherokee Indian nation and has been inspecting a tract of land com-pring 1,250,000 acres with a view to pur-chasing it for colonization purposes. The Cherokees are not satisfied with their

present surroundings and condition and Mr. Exendino says if the deal can be made the land will be purchased and the Indians will move to Mexico.

Coler Out of Malden Lane Deposit Company. At a special meeting of the Maiden Lane Safe Deposit Company yesterday, C. G. Alford was elected president in place of Bird S. Coler, who resigned. Mr. Coler said he was too busy to give the proper attention to the office. He has been president since the company was organized, about a year ago. Mr. Alford is an ex-president of the Jewellers' Association. Louis Windmuller takes his place as sec-

William P. Gill and Edward M. Gridley who compose the firm of William P. Gill & Co. importers of ribbons at 18 Greene street, made an assignment here and in Brooklyn yesterday to George W. Delacy. On Sept. 15 a committee of their creditors was apointed to try to make a settlement. Thei liabilities were reported to be \$350,000 and assets \$530,000 The committee has since been hard at work on the settlement, but it was delayed, it is said, on account of some of the bank creditors, who claimed a preference on the real estate owned by Mr Gill. It is said that he owned large and valuable property in Brooklyn.

advisory committee appointed to acwith the assignee is composed of Miles M O'Brien, vice-president of the Mercantil National Bank: George Ashley of Ashley Bailey & Co., and Abraham Gridel of 47 Green

Balley & Co., and Abraham Gridel of 47 Greene street.

Justice Fitzgerald of the Supreme Court has appointed Frederick C. Laun ancillary receiver for the property in this State of the L. D. Brown & Son Company, manufacturers of silks at Middletown, Conn., with an office at \$40 Broadway. The assets in this city are \$17,780.

Henry F. Simons of Henry F. Simons & Co., commission merchants in butter, cheese and eggs at 307 Greenwich street, filled a petition in bankruptcy yesterday. Henry W. Griswold, his partner, refused to join in the petition. The arm's liabilities are sworn as \$23,431 and assets \$15,621, consisting of cash, \$555; stock, \$1,020; fixtures, \$500; butter and cheese, \$2,065; pledged for loans and accounts. \$11,451. Mr. Simons's individual liabilities are \$7,484, and he has no assets. He owes Van Schaick & Co., stockbrokers of the control of the control

The cold wave spent its force early yesterday morning and it became warmer in all the States, especially west of the Alleghany mountains, alough it was freezing in all the States, except in the South Atlantic and Gulf section. It was generally above freezing point in the afternoon. n the Northwest it was from 10 to 30 degrees warmer, and no zero temperatures were reported.

Heavy rain fell on the California coast and it Oregon and Washington. There was some cloudiness in the Central States and Florida, and light snow along the border of Lakes Eric and Ontario. Elsewhere the weather was clear. In this city the day was fair and warmer; wind.

8 A. M., 30.64, 8 P M., 30.64. The temperature yesterday, as recorded by the metal thermometer, is shown in the annexe 1 table

1903, 1002, 1903, 1903, 1903, 1903, 1904, WASHINGTON PORECAST FOR TO-DAY AND TO-MORROW Bor eastern New York, eastern Pennsylvania and New Jersey, fatr to-day: partly cloudy and warmer to-morrow: light to fresh east to northeast winds. For New England, fair to-day and to-morrow; warmer to day; light to fresh variable winds.

For western Pennsylvania and western New
York, fair and warmer to-day; partly cloudy and warmer to morrow; winds shifting to fresh south For the District of Columbia, Delaware, Mary-

MURDERER GOES BY TRAIN.

TWO JOBS IN ONE NIGHT SIXTY MILES APART.

After Killing Night Operator Clendennen He Jumped a Train and Assaulted and Robbed an Operator at Allenwood -A Third Assault—Two Suspects Held.

WILLIAMSPORT, Pa., Nov. 20.—The murder of William Clendennen, in his lonely tower on the Northern Central Railroad. tower on the Northern Central Railroad, last evening so thoroughly aroused the people of central Pennsylvania that hundreds of them have been hunting to-day for traces of the murderer and doing every thing in their power to assist the small regiment of officers who are engaged on the

Several suspects have been arrested and are being held pending an attempt at identification. Two of them have failed to give a good account of themselves and are closely guarded.

The excitement of the people has been added to by the cowardly assault on H. J Hafer, night operator at Allenwood, who was held up, robbed, gagged and chloroformed at an early hour this morning by a man believed to be the murderer and by an attack on the operator in the Pennsylvania Railroad tower at Keating Summit at almost the same hour.

In the latter case the operator refused o submit to the assailant's demands, and a fight resulted, the operator finally making he desperado a prisoner.

The fight at Keating Summit occurred between 1 and 2 o'clock this morning, after the arrival of a freight train which left Brown tower, where the murder occurred, and which is sixty miles to the west, between 9 and 10 o'clock. As this was two or three hours after the murder, the assassin could have gotten through on it. As the train pulled into Keating a man dropped off and went at once to the tower. Presenting, a revolver, he demanded that Operator Emert throw up his hands. Emert did so, but he threw them against the hand that held the revolver.

held the revolver.

A furious struggle ensued. Emert, who is a powerfully built man, finally overcame his assailant and disarmed him. Special Officer Lubo arrived a few hours later and took the man to the Lock Havet. jail, where he is being held to await identi-

fication.

Details of the murder of William Clendennen in the tower, revealed at the inquest held by the coroner's jury to-day, show that it was planned and executed with deliberation.

The conductor of a freight train that passed the tower a few minutes before the shooting saw a man concealing himself under the tower. He climbed up the stairs.

which are on the outside of the tower, and shot his victim in the back before the latter had a chance to move or in any way defend himself.

The first bullet shattered Clendennen's right leg, making him helpless. The second tore a hole in his left arm, the one that he used in sending messages. The wounded man leaned forward to his instrument, and with his right hand sent in the message which was not completed, but which brought

which was not completed, but which longing help to the tower twenty minutes later.

Before the nervy operator could complete the sentence the assassin fired the third shot, which penetrated his back and abdomen, and which, physicians say, would alone have caused his death. Not satisfied with this, the murderer rushed upon his victim with a spike maul, and with a blow victim with a spike maul, and with a blow crushed in his skull. crushed in his skull.

Clendennen's gold watch was taken and his pockets were rifled. Although he was known to have had his month's pay in his pockets, only a few cents were left. Even his river were taken.

pockets, only a few cents were left. Even his rings were taken.

The robber worked fast, for when the switch engine filled with officers and employees arrived, twenty minutes after the dying operator sent in his last message, the lights in the tower had been extinguished and the murderer had escaped.

Detectives were at once put to work on the case. Evidence was procured which led to the belief that the murderer had managed to get on a southbound Northern Central train to Williamsport in time to make a fast freight south on the Reading. make a fast freight south on the Reading.
At Montgomery, twenty miles below this city, he was seen trying to get off a train, but it was going too fast, and he had to give it up.

Six miles below, the night operator at the little town of Allenwood, Hafer, saw the man dismount from the train and hisappear in the darkness.

Hafer is but 20 years old and of slight

build. At midnight some one entered the station and touched him on the shoulder. When he looked around, it was directly into the barrel of a revolver held by a masked man. He was compelled to open the keys, destroying the telegraphic circuit, and the robber interrupted a message in which the operator tried to warn the train despatcher of his trouble.

his trouble.
While covering Hafer with his revolver the desperado chloroformed a man who had failen asleep in the waiting room. Then, with a vicious blow, he knocked Hafer down and robbed him. An hour later, down and robbed nim. An hour later, when found by a crew sent out to find the trouble caused by opening the telegraph keys, he was unconscious on the floor, bound, gagged and under the influence of

Late this afternoon a suspect was ar-ested not far from the Allenwood station. He could give no connected or plausible story of his movements, and the officers believe that they have the right man. He is being brought to this city under a heavy

police escort.

To-night it was learned that two men were seen leaving the tower where the mur-der was committed, and they may have gone in opposite directions to Keating and

NATIONAL GUARD JEALOUSY. Manchester, N. H., Gets Preferment Over Nashua and Officers Resign.

NASHUA, N. H., Nov. 20 .- What resembles a strike in the National Guard is on in this city. Capts. Ernest S. Woods, Harry . Wilson and Charles S. Barker, commanding the three local companies, have offered their resignations or acknowledge that they are about to do so, while at least two of their First Lieutenants have followed their example.

The reasons given in their resignation letters is that private business prevents their attending the increased military duties required by the new regulations. Capt. Wilson said this afternoon that the cost of the new equipment which the officers must provide from their private means before next June has an influence with some. It is, however, an open secret that the Nashua battaiion is sore because its officers have not received recognition in

and majorships over the heads of Nashuans who are their seniors. The State has recently built an armory for Manchester, while Nashua has to be content with a meagre appropriation to hire an armory

BIG HOTEL LEASED. The Marie Antoinette to Be Run by W. E.

Wooley-Rent \$2,000,000. The Hotel Marie Antoinette, on the west side of Broadway, between Sixty-sixth and Sixty-seventh streets, was leased

yesterday by William E. Wooley from H. S. Thompson, Superintendent of Build-H. S. Thompson, Superintendent of Endoings, for twenty-one years at a total rental
of about \$2,000,000. The northerly half
of the hotel is owned by Mr. Thompson
and was completed last spring by the
Thompson-Stariet Company, with which
Mr. Thompson was formerly connected.
The southerly half, belonging to the Fianagan estate, was built about eight years
ago by Isaac A. Hopper. It is controlled
by Mr. Thompson under a long-term lease.
Mr. Wooley is proprietor of the Grand Wooley is proprietor of the Grand Hotel at Saratoga and the Iroquois

MANHATTAN TRANSIT COMPANY

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We call attention to the following letter:

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August 21, 1903.

International Power Co., New York: GENTLEMEN:-I have to state, in relation to the Diesel Engine, placed n our Company's Works by you, that after eight months' operation and very exhaustive tests by our engineers, all of which I have carefully investigated, it gives me pleasure to advise you that all of the claims made by you for this American type of engine, and the improvements placed upon same by your Company, have been fully accomplished. The mechanism is operating in a satisfactory manner, and I can unqualifiedly indorse this particular type of engine to fulfill all the claims and requirements stated. In our case, as nearly as we can calculate at the present time, it is saving us about 50 per cent. in the generation

of power for this particular part of the works in which it is being operated. By this accomplishment, the engine has proven itself to be the most economical prime motive power within the range of my knowledge. It should revolutionize motive power on land, and will undoubtedly have its proper place at sea.

EDWIN S. CRAMP, Vice-President.

For full particulars, address

MANHATTAN TRANSIT COMPANY,

Sole Agents for State of New York For the Diesel Engine,

250 East 48th Street,

New York.

CROWDS BRAVE THIRD RAIL

WALK BESIDE IT FROM STALLED ELEVATED TRAINS.

Jammed Snow Scraper Blocks the Sixth Avenue Southbound Service for an Hour-Few Uptown Trains for the 6 o'Clock Homegoers-Nobody Hurt A Sixth avenue elevated train broke

down in the rush hour late yesterday afternoon. Not only was most of the traffic below Fifty-ninth street held up for an hour, but more than a thousand passengers in order to get to their destinations, took to the narrow platform along the tracks, and walked to the nearest station in terror of the third rail. Between Bleecker and Eighth streets the passengers, to reach the station, had to cross the third rail twice nd then climb up to the station platform.

A scraper for ice and snow in front of the "shoe" which picks up the power from the third rail got out of place on a southbound train at Chambers street and was bound train at Chambers street and was jammed against the third rail. For just an hour attempts to get the scraper cer's post and for the further reason that back in its place were futile.

The accident happened at 5:30 o'clock when the rush in both directions was at its height. The disabled train soon blocked other trains back toward the Franklin street station, where there is a switch to run the southbound trains to the northbound track. Provisions have not been made to switch trains in such numbers however, and it was only a few minutes after the accident that the trains as far back as Fifty-eighth street were crawling

along at a snail's pace.

The greatest difficulty lay in disposing of a big crowd of passengers bound north from below Chambers street. There were but few trains at South Ferry to start north. An occasional Ninth avenue train was sent up on the Sixth avenue tracks and finally some of the southbound Sixth and finally some of the southbound Sixth avenue trains were emptied at Fifty-ninth street, run down the Ninth avenue tracks to South Ferry and thence up the Sixth avenue line. The ticket choppers below Chambers street, however, were stationed at the foot of the steps, where they informed would be passengers that no trains were running, but that the Ninth avenue line was open.

Most of the passengers went home that

Most of the passengers went home that way as soon as they could. But for nearly an hour many stood on the downtown stations while all the uptown Ninth avenue trairs whizzed by express.

While the northbound traffic was greatly bothered the southbound service was completely demoralized. For nearly an hour there were practically no trains moving and the guards could give the passengers no information as to how long the block would last. Finally most of the passengers, many of them women, left the cars and walked to the nearest station, taking a chance of contact with the live rail. No one was hurt.

one was hurt.

In the meantime the workmen were having trouble getting the scraper back in place. Every attempt to dislodge it threw a shower of sparks down on the heads of the crowds of commuters bound for the ferries. Some of the women got a little lysterical, but no accidents were reported. After an hour delay the power was shut off and the unruly scraper was fixed in place. Then full service was resumed. place. Then full service was The rush was over by that time.

STOLE TO MAKE SINKERS. Gloistein Fishing Club Man Took Copper Plates and Gets 30 Days.

Henry Hart, a member of the Gloistein Fishing Club, is in the Tombs for thirty days. He was sent there yesterday by Judge Foster in the General Sessions upon complaint of the American Book Company of 100 Washington Square, by which he was employed. He was charged with stealing twenty-four copper plates belonging to the "Sure I took 'em," said Hart. "I didn't

know they wasn't worth nothing."
"Why did you take them then?" asked
Judge Foster.
"Well, I didn't know they wasn't worth nothing, and I just took them because they could be melted up and made into sinkers for our fish lines. I give them to friends mine what are connected with fishing

clubs."
"They were plates of important books,"
said Judge Foster, "and they caused the
company inconvenience. Besides, they
were worth \$50, and so you have committed

COAL MINES SHUT DOWN.

Small Companies Unable to Work on Account of a Lack of Cars. WILKES-BARRE, Pa., Nov. 20 .- All the large coal companies closed their mines this morning until Monday and will thut down Thursday, Friday and Saturday

of rext week. Several smaller companies, anxious to take advantage of this and keep up their steady output, were unable to finish the day's work owing to lack of cars and the railroad officers say there will not be enough on hand in the morning to warrant a full day's work.

PROFESSOR SPENCER SPAT. City College Man Is Arrested, but Mag-

istrate Lets Him Off. Armand Spencer, professor of languages at the City College, was arrested yesterday morning for spitting on the Chatham Square platform of railway. He told Magistrate Flammer when taken to the Tombs police court that he did not remember having expec torated, but would not deny the accusation. he was convinced that the professor was

not an habitual offender.

The Seagoers. The New York of the American Line sails to-day and among her passengers are: Dr. A. J. Benedict and Miss Gracia Benedict, Mr. M. S. Browning, Count d'Henrsel, Dr. A. R. Van Linge, Mr. and Mrs. George V. Sims, Alfred E. Smith, Mr. and Mrs. Philip P. Maury and Mr. and Mrs. Theodore D. W. Aboard the Minneapolis, also sailing to-

Phil Dwyer, Frank P. Stone, H. W. White, J. E. Snider, E. H. Mack, J. Burton Mustin, Thaddeus Cahill and Mr. and Mrs. George M. Bashford.

Voyagers by the Hohenzollern: Major Frank A. Edwards, attaché of the United States Legation at Naples; Mr. and Mrs. Jacob Schuler, Stephen Hills Parker, and Mrs. L. A. Cullis.

Aboard the Pennsylvania are: Henry Wickham, Miss Grace Wickham, Theodore E. Steinway, Herman Page, Otto von Bernuth and Fred Benzinger. Some of the passengers on the Kroonland for Antwerp are

Col. Joseph J. Langer, United States Consul at Solingen, Germany: Capt. R. Rigel-son, Mrs. M. Justin, F. R. Eiden and George Bardin. GOLD MEDAL Pan.American Exposition.



For the quick preparation of a deli-clous drink, for making Chocolate leing or for flavoring Ice Cream, Lowney's "Always Ready" Sweet Chocolate Powder has no equal. The full chocolate quality and properties are present, unadulterated and